

**U.S. District Court – District of Colorado  
District of Colorado (Denver)  
CIVIL DOCKET FOR CASE #: 1:16-cv-02137-WJM-KLM**

Smith v. U.S. Immigration and Customs Enforcement et al  
Assigned to: Judge William J. Martinez  
Referred to: Magistrate Judge Kristen L. Mix  
Cause: 05:552 Freedom of Information Act

Date Filed: 08/24/2016  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act of 1974  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Jennifer M. Smith**

represented by **Mark Silverstein**  
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V.

**Defendant**

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Enforcement**

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**Defendant****U.S. Citizenship and Immigration Services**

TERMINATED: 01/12/2017

represented by **Ian J. Kellogg**

(See above for address)

**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
08/24/2016	<u>1</u>	COMPLAINT against U.S. Citizenship and Immigration Services, U.S. Immigration and Customs Enforcement (Filing fee \$ 400, Receipt Number 1082-5125282) Attorney Daniel James Culhane added to party Jennifer M Smith(pty:pla), filed by Jennifer M Smith.(Culhane, Daniel) (Entered: 08/24/2016)
08/24/2016	<u>2</u>	NOTICE re <u>1</u> Complaint, <i>Civil Cover Sheet</i> by Plaintiff Jennifer M Smith (Attachments: # <u>1</u> Attachment/Attorneys of Record)(Culhane, Daniel) (Entered: 08/24/2016)
08/24/2016	<u>3</u>	SUMMONS REQUEST as to U.S. Immigration and Customs Enforcement re <u>1</u> Complaint, by Plaintiff Jennifer M Smith. (Culhane, Daniel) (Entered: 08/24/2016)
08/24/2016	<u>4</u>	SUMMONS REQUEST as to U.S. Citizenship and Immigration Services re <u>1</u> Complaint, by Plaintiff Jennifer M Smith. (Culhane, Daniel) (Entered: 08/24/2016)
08/24/2016	<u>5</u>	Case assigned to Magistrate Judge Kristen L. Mix. Text Only Entry.(amenz, ) (Entered: 08/24/2016)
08/24/2016	<u>6</u>	SUMMONS issued by Clerk. (Attachments: # <u>1</u> Summons, # <u>2</u> Magistrate Judge Consent Form) (amenz, ) (Entered: 08/24/2016)
08/24/2016	<u>7</u>	NOTICE of Entry of Appearance <i>for Mark Silverstein</i> by Mark Silverstein on behalf of Jennifer M. Smith Attorney Mark Silverstein added to party Jennifer M. Smith(pty:pla) (Silverstein, Mark) (Entered: 08/24/2016)
08/24/2016	<u>8</u>	NOTICE of Entry of Appearance <i>for Sara R. Neel</i> by Sara R. Neel on behalf of Jennifer M. Smith Attorney Sara R. Neel added to party Jennifer M. Smith(pty:pla) (Neel, Sara) (Entered: 08/24/2016)
09/13/2016	<u>9</u>	ORDER SETTING SCHEDULING/PLANNING CONFERENCE by Magistrate Judge Kristen L. Mix on 9/13/16. Scheduling Conference set for 1/9/2017 11:00 AM in Courtroom A401 before Magistrate Judge Kristen L. Mix. (Attachments: # <u>1</u> Attachment 1, # <u>2</u> Attachment 2) (lgale, ) (Entered: 09/13/2016)
09/19/2016	<u>10</u>	NOTICE of Entry of Appearance by Ian J. Kellogg on behalf of All Defendants Attorney Ian J. Kellogg added to party U.S. Citizenship and Immigration Services(pty:dft), Attorney Ian J. Kellogg added to party U.S. Immigration and Customs Enforcement(pty:dft) (Kellogg, Ian) (Entered: 09/19/2016)
09/19/2016	<u>11</u>	Unopposed MOTION for Extension of Time to File Answer or Otherwise Respond re <u>1</u> Complaint, by Defendants U.S. Citizenship and Immigration Services, U.S. Immigration and Customs Enforcement. (Kellogg, Ian) (Entered: 09/19/2016)
09/30/2016	<u>12</u>	MINUTE ORDER granting <u>11</u> Motion for Extension of Time to Respond to Complaint. Defendants shall respond to Plaintiff's Complaint on or before October 17, 2016, by Magistrate Judge Kristen L. Mix on 9/30/16.(sgrim) (Entered: 09/30/2016)
10/13/2016	<u>13</u>	Unopposed MOTION for Extension of Time to File Answer or Otherwise Respond re <u>1</u> Complaint, by Defendants U.S. Citizenship and Immigration Services, U.S. Immigration and Customs Enforcement. (Kellogg, Ian) (Entered: 10/13/2016)
10/18/2016	<u>14</u>	MINUTE ORDER granting <u>13</u> Motion for Extension of Time to Answer or Otherwise Respond U.S. Citizenship and Immigration Services answer due 10/31/2016; U.S. Immigration and Customs Enforcement answer due 10/31/2016. by Magistrate Judge Kristen L. Mix on 10/18/2016.(jgonz, ) Modified to correct case caption on 10/19/2016 (jgonz, ). (Entered: 10/19/2016)
10/31/2016	<u>15</u>	MOTION to Dismiss for Lack of Jurisdiction , MOTION to Dismiss for Failure to State a Claim by Defendants U.S. Citizenship and Immigration Services, U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, #

		<u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Kellogg, Ian) (Entered: 10/31/2016)
10/31/2016	<u>16</u>	Utility Setting/Resetting Deadlines/Hearings: Consent Form due by 12/15/2016 pursuant to the filing of <u>15</u> Motion to Dismiss. Text Only Entry. (jgonz, ) (Entered: 11/01/2016)
11/21/2016	<u>17</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>15</u> MOTION to Dismiss for Lack of Jurisdiction MOTION to Dismiss for Failure to State a Claim by Plaintiff Jennifer M. Smith. (Culhane, Daniel) (Entered: 11/21/2016)
11/22/2016	<u>18</u>	MINUTE ORDER by Magistrate Judge Kristen L. Mix on 11/22/16. Unopposed Motion for Extension of Time to File Response to Motion to Dismiss <u>17</u> is GRANTED.(lgale, ) (Entered: 11/22/2016)
12/12/2016	<u>19</u>	RESPONSE to <u>15</u> MOTION to Dismiss for Lack of Jurisdiction MOTION to Dismiss for Failure to State a Claim filed by Plaintiff Jennifer M. Smith. (Attachments: # <u>1</u> Affidavit Declaration of Jennifer M. Smith, # <u>2</u> Exhibit Exh. A to Smith Declaration)(Culhane, Daniel) (Entered: 12/12/2016)
12/15/2016	<u>20</u>	CONSENT to Jurisdiction of Magistrate Judge by Plaintiff Jennifer M. Smith All parties do not consent.. (Culhane, Daniel) (Entered: 12/15/2016)
12/16/2016	<u>21</u>	MINUTE ORDER re: <u>20</u> Consent/Non-Consent to Jurisdiction of Magistrate Judge filed by Jennifer M. Smith. This case shall be assigned to a District Judge under D.C.COLO.LCivR 40.1(c)(8) and D.C.COLO.LCivR 40.1(a), by Magistrate Judge Kristen L. Mix on 12/16/2016. (jgonz, ) (Entered: 12/16/2016)
12/16/2016	<u>22</u>	CASE REASSIGNED pursuant to <u>21</u> Minute Order, <u>20</u> Consent/Non-Consent to Jurisdiction of Magistrate Judge. All parties do not consent. This case is reassigned to Judge Wiley Y. Daniel. All future pleadings should be designated as 16-cv-02137-WYD. (Text Only Entry) (jgonz, ) (Entered: 12/16/2016)
12/19/2016	<u>23</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>15</u> MOTION to Dismiss for Lack of Jurisdiction MOTION to Dismiss for Failure to State a Claim by Defendants U.S. Citizenship and Immigration Services, U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Kellogg, Ian) (Entered: 12/19/2016)
12/20/2016	<u>24</u>	MEMORANDUM RETURNING CASE for Reassignment by Senior Judge Wiley Y. Daniel (evana, ) (Entered: 12/20/2016)
12/20/2016	<u>25</u>	CASE REASSIGNED. pursuant to <u>24</u> Memorandum Returning Case. This case is reassigned to Judge William J. Martinez. All future pleadings should be designated as 16-cv-02137 WJM. (Text Only Entry) (evana, ) (Entered: 12/20/2016)
12/20/2016	<u>26</u>	ORDER REFERRING CASE to Magistrate Judge Kristen L. Mix. Magistrate Judge Mix, or such other Magistrate Judge who may in the future be reassigned this case, is designated to conduct NDISPO proceedings pursuant to 28 U.S.C. § 636(b)(1)(A) and (B) and Fed.R.Civ.P. 72(a) and (b). Court sponsored alternative dispute resolution is governed by D.C.COLO.LCivR 16.6. On the recommendation or informal request of the Magistrate Judge or on the request of the parties by motion, the court may direct the parties to engage in an early neutral evaluation, a settlement conference, or another alternative dispute resolution proceeding. SO ORDERED by Judge William J. Martinez on 12/20/2016. Text Only Entry (wjmssec, ) Modified to correct judge association on 12/21/2016 (cthom, ). (Entered: 12/20/2016)
12/21/2016	<u>27</u>	ORDER: This matter is before the Court on Defendants' Motion to Dismiss <u>15</u> . This Motion is STRICKEN for failure to comply with WJM Revised Practice Standard III.D.1 (as revised effective December 1, 2016), which requires counsel to confer prior to filing a motion pursuant to Rule 12(b)(6), in order to discuss whether the alleged deficiency in the operative complaint can be cured by amendment, and to exercise their <b>best efforts</b> to stipulate to such amendment. Because the Motion contains no statement with respect to whether such a conferral occurred in this case, it is stricken without prejudice to refiling no later than <b>December 30, 2016</b> in conformity with the Court's Revised Practice Standards. Defendants' Unopposed Motion for Extension of Time to File Reply in Support of Motion to Dismiss <u>23</u> is DENIED AS MOOT. SO ORDERED by Judge William J. Martinez on 12/21/2016. Text Only Entry (wjmssec, ) (Entered: 12/21/2016)

12/21/2016	<u>28</u>	MINUTE ORDER by Magistrate Judge Kristen L. Mix on 12/21/2016. The parties shall appear for the Scheduling/Planning Conference set for January 9, 2017, at 11:00 a.m. as previously scheduled, and shall be prepared to discuss case management and discovery. However, the parties need not submit a proposed Scheduling Order. (jgonz, ) (Entered: 12/21/2016)
12/23/2016	<u>29</u>	Joint STATUS REPORT by Defendants U.S. Citizenship and Immigration Services, U.S. Immigration and Customs Enforcement. (Kellogg, Ian) (Entered: 12/23/2016)
01/09/2017	<u>30</u>	MINUTE ENTRY for Scheduling Conference held before Magistrate Judge Kristen L. Mix on 1/9/2017. FTR: KLM Courtroom A401. (lgale, ) (Entered: 01/09/2017)
01/12/2017	<u>31</u>	NOTICE of Filing Amended Pleading – <i>First Amended Complaint</i> – by Plaintiff Jennifer M. Smith (Attachments: # <u>1</u> Exhibit First Amended Complaint Marked to Show Revisions)(Culhane, Daniel) (Entered: 01/12/2017)
01/12/2017	<u>32</u>	AMENDED COMPLAINT ( <i>First</i> ) against U.S. Immigration and Customs Enforcement, filed by Jennifer M. Smith. (Attachments: # <u>1</u> Exhibit 1: September 3, 2015 ICE Letter, # <u>2</u> Exhibit 2: September 27, 2016 ICE Letter)(Culhane, Daniel) (Entered: 01/12/2017)
01/12/2017	<u>33</u>	Party U.S. Citizenship and Immigration Services terminated pursuant to <u>32</u> Amended Complaint. Text Only Entry (cthom, ) (Entered: 01/12/2017)
01/26/2017	<u>34</u>	NOTICE of Entry of Appearance by David Z. Moskowitz on behalf of U.S. Immigration and Customs EnforcementAttorney David Z. Moskowitz added to party U.S. Immigration and Customs Enforcement(pty:dft) (Moskowitz, David) (Entered: 01/26/2017)
01/26/2017	<u>35</u>	MOTION to Dismiss for Lack of Jurisdiction <i>First Amended Complaint</i> by Defendant U.S. Immigration and Customs Enforcement. (Moskowitz, David) (Entered: 01/26/2017)
02/01/2017	<u>36</u>	NOTICE of Change of Address/Contact Information by Ian J. Kellogg (Kellogg, Ian) (Entered: 02/01/2017)
02/01/2017	<u>37</u>	NOTICE of Change of Address/Contact Information by David Z. Moskowitz (Moskowitz, David) (Entered: 02/01/2017)
02/15/2017	<u>38</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>35</u> MOTION to Dismiss for Lack of Jurisdiction <i>First Amended Complaint</i> by Plaintiff Jennifer M. Smith. (Culhane, Daniel) (Entered: 02/15/2017)
02/15/2017	<u>39</u>	ORDER granting Plaintiff's Unopposed Motion for Extension of Time to File Response to Motion to Dismiss <u>38</u> . Plaintiff is granted leave, for good cause shown, to file said Response on or before <b>February 22, 2017</b> . SO ORDERED by Judge William J. Martinez on 2/15/2017. Text Only Entry (wjmssec, ) (Entered: 02/15/2017)
02/22/2017	<u>40</u>	RESPONSE to <u>35</u> MOTION to Dismiss for Lack of Jurisdiction <i>First Amended Complaint and Request for Oral Argument</i> filed by Plaintiff Jennifer M. Smith. (Culhane, Daniel) (Entered: 02/22/2017)
03/08/2017	<u>41</u>	REPLY to Response to <u>35</u> MOTION to Dismiss for Lack of Jurisdiction <i>First Amended Complaint</i> filed by Defendant U.S. Immigration and Customs Enforcement. (Moskowitz, David) (Entered: 03/08/2017)
03/13/2017	<u>42</u>	MOTION for Leave to <i>Take Limited Discovery</i> by Plaintiff Jennifer M. Smith. (Culhane, Daniel) (Entered: 03/13/2017)
03/14/2017	<u>43</u>	ORDER: Before the Court is Plaintiff's Motion for Leave to Take Limited Discovery <u>42</u> . This motion is STRICKEN for failure to include a D.C.COLO.LCivR 7.1(a) certificate of conferral. In any event, this motion would have been denied without prejudice at this stage because the Court must first resolve Defendant's Motion to Dismiss for Lack of Subject Matter Jurisdiction <u>35</u> before it can decide whether discovery is appropriate. The Court will resolve Defendant's Motion to Dismiss in due course, and, if that resolution favors Plaintiff, Plaintiff may re-file her motion for discovery, assuming compliance with D.C.COLO.LCivR 7.1(a). SO ORDERED by Judge William J. Martinez on 03/14/2017. Text Only Entry (wjmlc1) (Entered: 03/14/2017)



03/20/2017	<u>44</u>	NOTICE OF DISCLOSURE by Judge Martinez. (cthom, ) (Entered: 03/20/2017)
04/05/2017	<u>45</u>	ORDER denying <u>35</u> Motion to Dismiss for Lack of Subject Matter Jurisdiction. If Smith still wishes to take discovery, she must renew her motion in that regard(see ECF No. <u>42</u> ) no later than April 14, 2017, and must include a proper D.C.COLO.LCivR 7.1(a) certificate of conferral in that motion. ORDERED by Judge William J. Martinez on 4/5/2017. (cthom, ) (Entered: 04/05/2017)
04/14/2017	<u>46</u>	MOTION for Discovery <i>Limited Jurisdictional Discovery</i> by Defendant U.S. Immigration and Customs Enforcement. (Kellogg, Ian) (Entered: 04/14/2017)
04/14/2017	<u>47</u>	Renewed MOTION for Leave to <i>Take Limited Discovery</i> by Plaintiff Jennifer M. Smith. (Culhane, Daniel) (Entered: 04/14/2017)
04/19/2017	<u>48</u>	ANSWER to <u>32</u> Amended Complaint by U.S. Immigration and Customs Enforcement.(Kellogg, Ian) (Entered: 04/19/2017)
05/05/2017	<u>49</u>	RESPONSE to <u>46</u> MOTION for Discovery <i>Limited Jurisdictional Discovery</i> filed by Plaintiff Jennifer M. Smith. (Attachments: # <u>1</u> Affidavit Declaration of Jennifer M. Smith)(Culhane, Daniel) (Entered: 05/05/2017)
05/05/2017	<u>50</u>	RESPONSE to <u>47</u> Renewed MOTION for Leave to <i>Take Limited Discovery</i> filed by Defendant U.S. Immigration and Customs Enforcement. (Moskowitz, David) (Entered: 05/05/2017)
05/10/2017	<u>51</u>	ORDER Regarding Discovery Motions. Granting in part and denying in part <u>46</u> Motion for Discovery; granting in part and denying in part <u>47</u> Motion for Leave. ORDERED by Judge William J. Martinez on 5/10/2017. (angar, ) (Entered: 05/10/2017)
05/19/2017	<u>52</u>	MINUTE ORDER by Magistrate Judge Kristen L. Mix on 5/19/17 re: <u>51</u> Order Regarding Discovery Motions. Scheduling Conference set for 6/8/2017 10:30 AM in Courtroom A401 before Magistrate Judge Kristen L. Mix. (lgale, ) (Entered: 05/19/2017)
06/05/2017	<u>53</u>	Proposed Scheduling Order by Defendant U.S. Immigration and Customs Enforcement. (Kellogg, Ian) (Entered: 06/05/2017)
06/08/2017	<u>54</u>	MINUTE ENTRY for Scheduling Conference held before Magistrate Judge Kristen L. Mix on 6/8/2017. Status Report due by 9/5/2017. FTR: KLM Courtroom A401. (Attachments: # <u>1</u> Discovery Procedures and Requirements of Practice) (lgale, ) (Entered: 06/08/2017)
06/08/2017	<u>55</u>	ABBREVIATED SCHEDULING ORDER: by Magistrate Judge Kristen L. Mix on 6/8/17. (lgale, ) (Entered: 06/08/2017)
06/12/2017	<u>56</u>	Stipulated MOTION for Discovery <i>Order under F.R.E. 502(d)</i> by Plaintiff Jennifer M. Smith. (Culhane, Daniel) (Entered: 06/12/2017)
06/12/2017	<u>57</u>	MEMORANDUM regarding <u>56</u> Stipulated MOTION for Discovery <i>Order under F.R.E. 502(d)</i> filed by Jennifer M. Smith. Motions referred to Magistrate Judge Kristen L. Mix by Judge William J. Martinez on 6/12/2017. Text Only Entry (wjmssec, ) (Entered: 06/12/2017)
06/13/2017	<u>58</u>	MINUTE ORDER by Magistrate Judge Kristen L. Mix on 6/13/17. <u>56</u> Stipulated Order Under F.R.E. 502(d) is GRANTED. (lgale, ) (Entered: 06/13/2017)
06/13/2017	<u>59</u>	Stipulated Order Under F.R.E. 502(d) by Magistrate Judge Kristen L. Mix on 6/13/17. (lgale, ) (Entered: 06/13/2017)
08/17/2017	<u>60</u>	Unopposed MOTION for Leave to <i>Amend Scheduling Order and (Opposed) Motion for Leave to Take 30(b)(6) Deposition of ICE</i> <u>55</u> Scheduling Order by Plaintiff Jennifer M. Smith. (Attachments: # <u>1</u> Exhibit A part 1—ICE Discovery responses, # <u>2</u> Exhibit A—2—ICE "new" SOP, # <u>3</u> Proposed Document Notice of 30(b)(6) deposition)(Culhane, Daniel) (Entered: 08/17/2017)
08/18/2017	<u>61</u>	MEMORANDUM regarding <u>60</u> Unopposed MOTION for Leave to <i>Amend Scheduling Order and (Opposed) Motion for Leave to Take 30(b)(6) Deposition of ICE</i> <u>55</u> Scheduling Order filed by Jennifer M. Smith. Motions referred to Magistrate Judge Kristen L. Mix by Judge William J. Martinez on 8/18/2017. Text Only Entry (wjmssec, ) (Entered: 08/18/2017)

		) (Entered: 08/18/2017)
08/29/2017	<u>62</u>	Joint MOTION to Amend/Correct/Modify <u>55</u> Scheduling Order by Plaintiff Jennifer M. Smith. (Culhane, Daniel) (Entered: 08/29/2017)
08/29/2017	63	MEMORANDUM regarding <u>62</u> Joint MOTION to Amend/Correct/Modify <u>55</u> Scheduling Order filed by Jennifer M. Smith. Motions referred to Magistrate Judge Kristen L. Mix by Judge William J. Martinez on 8/29/2017. Text Only Entry (wjmsc, ) (Entered: 08/29/2017)
08/31/2017	<u>64</u>	TRANSCRIPT of Rule 16(b) Scheduling Conference held on June 8, 2017 before Magistrate Judge Mix. Pages: 1–10. <b>NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b> Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. (Stevens–Koenig Reporting, ) (Entered: 08/31/2017)
09/05/2017	<u>65</u>	MINUTE ORDER by Magistrate Judge Kristen L. Mix on 9/5/17. Motion for Leave to Take 30(b)(6) Deposition of U.S. Immigration and Customs Enforcement; Unopposed Motion to Amend the Scheduling Order <u>60</u> is DENIED without prejudice in part, and DENIED as moot in part. (lgale, ) (Entered: 09/05/2017)
09/05/2017	<u>66</u>	Joint STATUS REPORT by Plaintiff Jennifer Smith and by Defendant U.S. Immigration and Customs Enforcement. (Moskowitz, David) (Entered: 09/05/2017)
09/06/2017	<u>67</u>	MINUTE ORDER by Magistrate Judge Kristen L. Mix on 9/6/17. A Telephonic Discovery Hearing set for 9/8/2017 11:30 AM in Courtroom A401 before Magistrate Judge Kristen L. Mix. (lgale, ) (Entered: 09/06/2017)
09/08/2017	<u>68</u>	MINUTE ENTRY for Discovery Hearing held before Magistrate Judge Kristen L. Mix on 9/8/2017. Joint Motion to Amend Scheduling Order [#2] is granted. FTR: KLM Courtroom A401. (lgale, ) (Entered: 09/08/2017)
09/22/2017	<u>69</u>	Amended MOTION for Discovery for Leave to Take 30(b)(6) Deposition by Plaintiff Jennifer M. Smith. (Attachments: # <u>1</u> Exhibit Plaintiff Discovery Responses, # <u>2</u> Exhibit Plaintiff Discovery Responses Attachment, # <u>3</u> Proposed Notice of 30(b)(6) Deposition)(Culhane, Daniel) (Entered: 09/22/2017)
09/22/2017	70	MEMORANDUM regarding <u>69</u> Amended MOTION for Discovery for Leave to Take 30(b)(6) Deposition filed by Jennifer M. Smith. Motions referred to Magistrate Judge Kristen L. Mix by Judge William J. Martinez on 9/22/2017. Text Only Entry (wjmsc, ) (Entered: 09/22/2017)
09/25/2017	<u>71</u>	TRANSCRIPT of Discovery Conference held on September 8, 2017 before Magistrate Judge Mix. Pages: 1–27. <b>NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b> Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. (Patterson Transcription Company, ) (Entered: 09/25/2017)
10/06/2017	<u>72</u>	RESPONSE to <u>69</u> Amended MOTION for Discovery for Leave to Take 30(b)(6) Deposition filed by Defendants U.S. Citizenship and Immigration Services, U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Declaration of Fernando Pineiro)(Kellogg, Ian) (Entered: 10/06/2017)

06/21/2018	<u>73</u>	ORDER by Magistrate Judge Kristen L. Mix on 6/21/18. Revised Motion for Leave to Take 30(b)(6) Deposition of U.S. Immigration and Customs Enforcement <u>69</u> is GRANTED in part and DENIED in part. (lgale, ) (Entered: 06/21/2018)
11/06/2018	<u>74</u>	Joint MOTION to Amend/Correct/Modify <u>55</u> Scheduling Order by Plaintiff Jennifer M. Smith. (Culhane, Daniel) (Entered: 11/06/2018)
11/06/2018	75	MEMORANDUM regarding <u>74</u> Joint MOTION to Amend/Correct/Modify <u>55</u> Scheduling Order filed by Jennifer M. Smith. Motions referred to Magistrate Judge Kristen L. Mix by Judge William J. Martinez on 11/6/2018. Text Only Entry (wjmsec, ) (Entered: 11/06/2018)
11/08/2018	<u>76</u>	MINUTE ORDER by Magistrate Judge Kristen L. Mix on 11/8/18. Joint Motion to Amend Scheduling Order <u>74</u> is GRANTED. (lgale, ) (Entered: 11/08/2018)
12/26/2018	<u>77</u>	Joint MOTION to Amend/Correct/Modify <u>55</u> Scheduling Order <i>Due to Lapse in Congressional Appropriations</i> by Defendant U.S. Immigration and Customs Enforcement. (Kellogg, Ian) (Entered: 12/26/2018)
12/26/2018	78	MEMORANDUM regarding <u>77</u> Joint MOTION to Amend/Correct/Modify <u>55</u> Scheduling Order <i>Due to Lapse in Congressional Appropriations</i> filed by U.S. Immigration and Customs Enforcement. Motions referred to Magistrate Judge Kristen L. Mix By Judge William J. Martinez on 12/26/2018. Text Only Entry (wjmsec, ) (Entered: 12/26/2018)
01/07/2019	<u>79</u>	MINUTE ORDER granting <u>77</u> Joint MOTION to Amend/Correct/Modify <u>55</u> Scheduling Order Due to Lapse in Congressional Appropriations, by Magistrate Judge Kristen L. Mix on 1/7/2019. (tshe, ) (Entered: 01/07/2019)
02/01/2019	<u>80</u>	MOTION to Amend/Correct/Modify <u>55</u> Scheduling Order by Defendant U.S. Immigration and Customs Enforcement. (Moskowitz, David) (Entered: 02/01/2019)
02/04/2019	81	MEMORANDUM regarding <u>80</u> MOTION to Amend/Correct/Modify <u>55</u> Scheduling Order filed by U.S. Immigration and Customs Enforcement. Motions referred to Magistrate Judge Kristen L. Mix by Judge William J. Martinez on 2/4/2019. Text Only Entry (wjmsec, ) (Entered: 02/04/2019)
02/07/2019	<u>82</u>	RESPONSE to <u>80</u> MOTION to Amend/Correct/Modify <u>55</u> Scheduling Order filed by Plaintiff Jennifer M. Smith. (Culhane, Daniel) (Entered: 02/07/2019)
02/07/2019	<u>83</u>	MINUTE ORDER by Magistrate Judge Kristen L. Mix on 2/7/19. Motion to Amend Scheduling Order <u>80</u> is GRANTED. The parties' deadline to file motions for summary judgment is extended to March 26, 2019. (lgale, ) (Entered: 02/07/2019)
03/26/2019	<u>84</u>	MOTION for Summary Judgment by Defendant U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Affidavit Pineiro Declaration)(Kellogg, Ian) (Entered: 03/26/2019)
03/26/2019	<u>85</u>	MOTION for Summary Judgment by Plaintiff Jennifer M. Smith. (Attachments: # <u>1</u> Exhibit A: ICE SOP, # <u>2</u> Exhibit B: Deposition Transcript of Fernando Pineiro, # <u>3</u> Exhibit 5 to Pineiro Deposition, # <u>4</u> Exhibit C: Declaration of Jennifer Smith, # <u>5</u> Exhibit D: Declaration of Daniel Harris, # <u>6</u> Exhibit A to Harris Declaration, # <u>7</u> Exhibit B to Harris Declaration, # <u>8</u> Exhibit E: Declaration of Melody Poole, # <u>9</u> Exhibit A to Poole Declaration, # <u>10</u> Exhibit B to Poole Declaration, # <u>11</u> Exhibit F: ICE Discovery Responses)(Culhane, Daniel) (Entered: 03/26/2019)
04/05/2019	<u>86</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>84</u> MOTION for Summary Judgment , <u>85</u> MOTION for Summary Judgment by Defendant U.S. Immigration and Customs Enforcement. (Kellogg, Ian) (Entered: 04/05/2019)
04/08/2019	87	ORDER granting Defendant's Unopposed Motion for Extension of Time for the Parties to File Responses to Summary Judgment Motions [84, 85] <u>86</u> . The parties are granted leave, for good cause shown, to file said Responses on or before <b>May 3, 2019</b> . SO ORDERED by Judge William J. Martinez on 4/8/2019. Text Only Entry (wjmsec, ) (Entered: 04/08/2019)

05/03/2019	<u>88</u>	RESPONSE to <u>85</u> MOTION for Summary Judgment filed by Defendant U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Affidavit Declaration of Catrina Pavlik–Keenan, # <u>2</u> Affidavit Declaration of Fernando Pineiro, # <u>3</u> Exhibit K – Pavlik–Keenan email, # <u>4</u> Exhibit L – letter template, # <u>5</u> Exhibit M – Plaintiff's supplemental disclosures, # <u>6</u> Exhibit N – referrals to other DHS components)(Kellogg, Ian) (Entered: 05/03/2019)
05/03/2019	<u>89</u>	RESPONSE to <u>84</u> MOTION for Summary Judgment filed by Plaintiff Jennifer M. Smith. (Attachments: # <u>1</u> Declaration of Jennifer M. Smith, # <u>2</u> Exhibit A to Smith Declaration, # <u>3</u> Declaration of John J Faison, # <u>4</u> Exhibit A to Faison Declaration)(Culhane, Daniel) (Entered: 05/03/2019)